



Restoring Voting Rights for Felons

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Points of view or opinions expressed in this report are those of the Iowa Division of Criminal and Juvenile Justice Planning (CJJP), and do not necessarily reflect official positions of the Public Safety Advisory Board.

Iowa Voting Ban for Felons & Restoration of Rights

Iowa

- Iowa Code §48A.6 disqualifies a person convicted of a felony under state or federal law from registering to vote and from voting unless the person's rights are restored by the governor or by the president of the United States.¹
- Iowa Code §701.7 classifies a felony as a particular class defined by the statute, including class A, B, C, and D.²
- From 2005-2011, Governor Vilsack restored voting rights to an estimated 115,000 felons upon sentence completion under Executive Order 42.³
- In 2011, Governor Branstad rescinded Executive Order 42, making Iowa one of only three states (Kentucky and Florida) to impose permanent disenfranchisement for all convicted felons until the individual's rights are restored by the government.⁴
- Nine other states also impose some post-release restrictions, such as waiting periods or disenfranchisement for only certain felons.⁵

Iowa Restoration of Citizen Rights

- Application through Office of the Governor⁶
- An offender is eligible to apply to regain voting rights in Iowa if they were convicted of a state or federal crime.⁷

Efforts were made to obtain information on how many ex-offenders had voting rights restored since 2011. With the recent gubernatorial transition, the current administration does not yet have the ability to fully access the former governor's records. A *Des Moines Register* article dated June 30, 2016 reported a spokesman for the former governor having announced 119 restorations for ex-offenders since 2011.⁸ At present, approximately 14 voting rights restoration applications are pending (Colin Smith – Governor's Office, personal communication, June 19, 2017). This is considered a "low period" for voting rights application since there is no primary or general election this year and it is the summer.

¹ Voter Registration: Disqualified Persons. Iowa Code §48A.6. <https://www.legis.iowa.gov/docs/code/2017/48A.6.pdf>

² Felony Defined and Classified. Iowa Code §701.7. <https://www.legis.iowa.gov/docs/code/2017/701.7.pdf>

³ Brennan Center for Justice (2016). "Voting Rights Restoration Efforts in Iowa."

<https://www.brennancenter.org/analysis/voting-rights-restoration-efforts-iowa>

⁴ Brennan Center for Justice (2016). "Voting Rights Restoration Efforts in Iowa."

⁵ Brennan Center for Justice (2016). "Criminal Disenfranchisement Laws Across the United States."

http://www.brennancenter.org/sites/default/files/analysis/Criminal_Disenfranchisement_Map.pdf

⁶ Iowa Governor's Office (2016). "Application for Restoration of Citizenship Rights (Right to Vote and Hold Public Office)."

<https://governor.iowa.gov/sites/default/files/documents/Voting%20Application.pdf>

⁷ Iowa Governor's Office (2016). "Frequently Asked Questions for Restoration of Citizenship Rights – Right to Vote and Hold Public Office."

<https://governor.iowa.gov/sites/default/files/documents/FAQ%20-%20Voting.pdf>

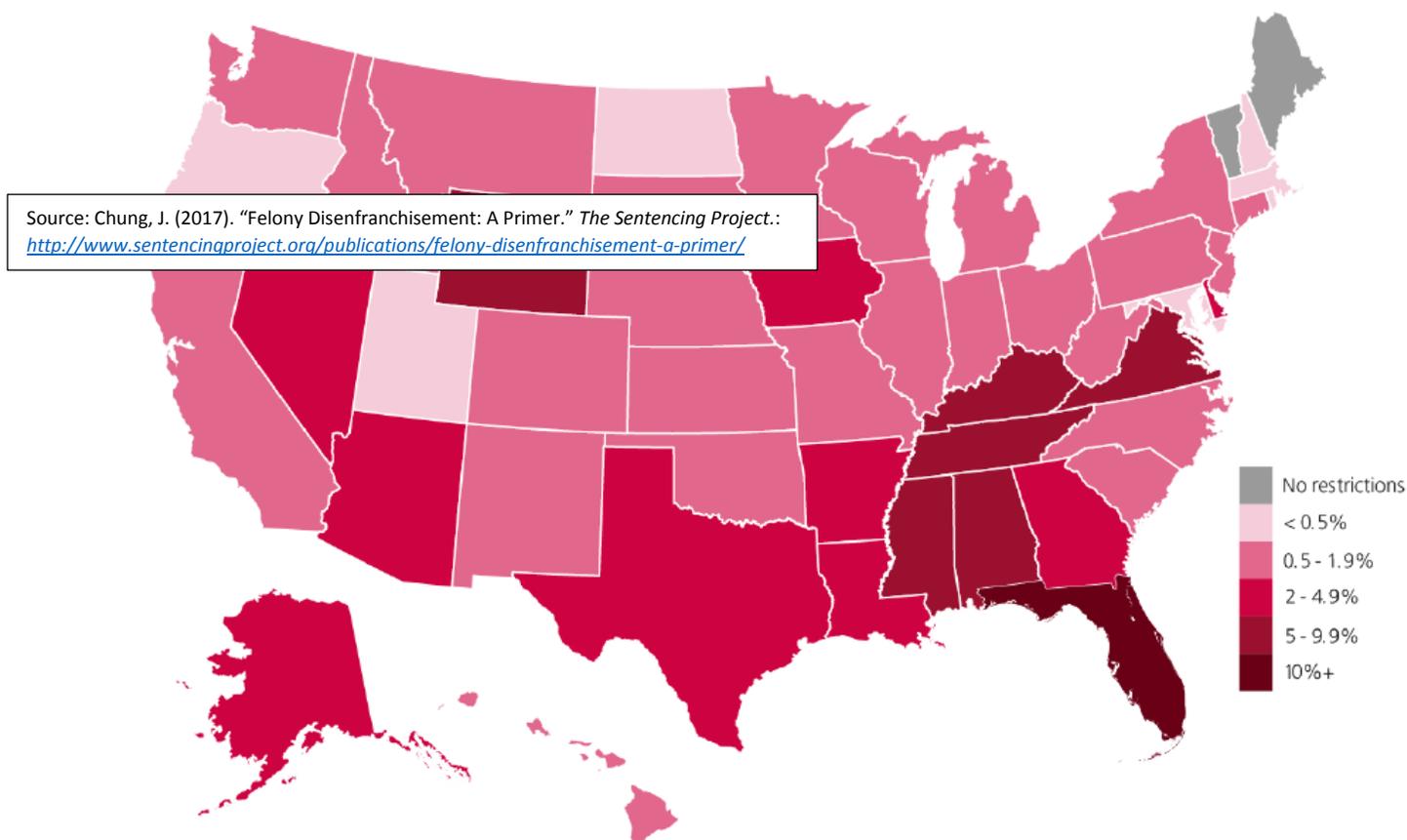
⁸ Noble, J. (June 30, 2016). "Iowa Supreme Court Upholds Ban on Felons Voting." *The Des Moines Register*.

<http://www.desmoinesregister.com/story/news/politics/2016/06/30/iowa-supreme-court-upholds-ban-felons-voting-iowa/86525128/>

Disenfranchisement Rates

- Nationally, an estimated 6.1 million people, or approximately 2.5% of the voting age population, are disenfranchised due to felony convictions. About three-quarters of disenfranchised convicts are living in their communities and are no longer in prison or jail.⁹
- Disenfranchisement rates vary by state. Iowa falls in the mid-category (2%-5% disenfranchised).¹⁰ The two other states with permanent disenfranchisement for all felons (Kentucky and Florida) have higher rates. Another consideration is the demographic composition of the disenfranchised population. There are high incarceration rates of minorities in Iowa, however, this is not represented in the map.¹¹

Figure 2. Total Felony Disenfranchisement Rates, 2016



6 The Sentencing Project

For a summary of disenfranchisement restrictions by prison, probation and parole status, please visit: <http://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>

⁹ Uggen, C., Larson, R., and Shannon, S. (2016). "6 Million Lost Voters: State-Level Estimates of Felony Disenfranchisement, 2016." *The Sentencing Project*. <http://www.sentencingproject.org/publications/6-million-lost-voters-state-level-estimates-felony-disenfranchisement-2016/>

¹⁰ Uggen, C., Larson, R., and Shannon, S. (2016). "6 Million Lost Voters."

¹¹ Uggen, C., Larson, R., and Shannon, S. (2016). "6 Million Lost Voters."